

FISHING IN NONTIDAL WATERS – Trout and Black Bass

What was proposed and why are the changes necessary?

The Department proposed to:

- 1) Modify the boundary of the uppermost put-and-take trout fishing area on Beaver Creek, located in Washington County.

The proposed action modifies the uppermost put-and-take trout fishing area on Beaver Creek by moving the boundary downstream from a private farm lane to the upstream side of the I-70 West on-ramp bridge. This is necessary because the upper boundary is currently on private property and the landowner no longer allows public access to their property. Shifting the upper boundary downstream to I-70 W adjusts the uppermost put-and-take section to areas where public angler access is allowed.

- 2) Modify the rules for a small section of Beaver Creek, located in Washington County, that currently has three sections with different trout fishing rules.

The proposed action clarifies the rules for a small section of Beaver Creek that currently has three sections with different rules. Specifically, the proposed action extends the catch-and-release artificial fly fishing section on Beaver Creek to the downstream side of the bridge at U.S. Route 40 and modifies the lower put-and-take trout fishing area on Beaver Creek by moving the boundary from Beaver Creek Road to the downstream side of the bridge at U.S. Route 40. Changing the boundaries of these areas eliminates a section of the creek that does not have special management rules. This change is necessary because having three separate management areas in such a short distance is confusing for anglers. This change will simplify the rules in the area and reduce confusion about where and when anglers can harvest trout. The change will also protect stocked trout from being harvested during the put-and-take closure period and ensure more trout are available to anglers for opening day.

- 3) Eliminate the catch-and-return area bass area on the North Branch of the Potomac River.

The proposed action eliminates the catch-and-return bass area on the North Branch of the Potomac River. The designated area extends from the spillway in Cumberland, Maryland upstream approximately 25 miles to the U.S. Route 220 Bridge at Keyser, West Virginia. The Department continuously evaluates freshwater fishing regulations for efficacy based on fishery monitoring efforts and habitat assessments. After the initial introduction, the smallmouth bass fishery in this portion of the North Branch of the Potomac River was characterized by faster growth rates, a desirable size distribution, and a higher density of fish. Recent surveys indicate that with the improvements in upstream water quality relating to temperature (i.e., colder temperatures), smallmouth bass growth rates have slowed significantly and the fishery now has a contracted, downstream distribution compared to their initial range following introduction. Age and growth data suggest that the catch and return regulation has become ineffective since smallmouth bass now only rarely reach quality size or the statewide minimum size for harvest (12 inches). Because few fish will survive to reach a quality size, catch and release regulations are no longer expected to improve the overall quality of the fishery or meet angler expectations for a catch and release fishery.

beaver creek

Show search results for beaver ...

Beaver Creek Church Rd

Mapleville Rd

Doubt's Mill

Beaver Creek

Beaver Creek Country Club

Black Rock Rd

Childscrest Dr

Beaver Creek Rd

Clydelevan Dr

Aston Pl

Pembroke Dr

Trout Dr

White Hall Rd

Mapleville View Cir

National Pike

582 ft

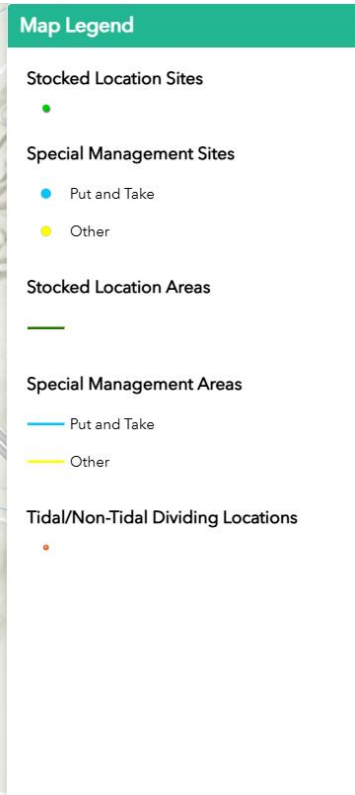
606 ft

0.2mi

70

66

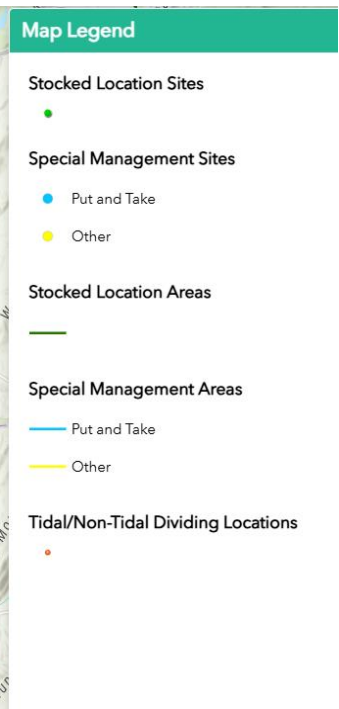
40



Map of the North Branch Potomac River watershed in Allegany County, Maryland. The map shows the river flowing through a hilly landscape with various mountains labeled, including Piney Mountain, Big Savage Mountain, and Knobly Mountain. Towns like Frostburg, Hoffman, and Cumberland are visible. A search bar at the top left shows "north branch" and a result for "Show search results for north b...". A pop-up window titled "(1 of 2)" displays information for the "FMA - Special Management Segment":

FMA - Special Management Segment	
COUNTY	Allegany
LOCATION	North Branch Potomac River
REGULATION	Catch & Return Bass

Below the table, there is a "Zoom to" link and three dots indicating more options.



Additional Information

[Public Angler Access Map](#)

Who will this affect?

Nontidal anglers that fish in the affected areas.

What is the specific regulatory action?

Amend Regulations .01 and .03 under COMAR 08.02.11 Fishing in Nontidal Waters.

Current Regulations

- Trout Fishing and Management Areas [COMAR 08.02.11.01](#)
- Catch-and-Return Bass Areas [COMAR 08.02.11.03](#)

Have these changes been discussed with advisory bodies or other interested individuals?

- These ideas were discussed with the Sport Fisheries and Tidal Fisheries Advisory Commissions at their July 2025 meetings.
- The ideas were scoped with the general public in August 2025.

Regulatory Process

The Department will follow our normal [procedures](#) as this concept moves forward.

At the conclusion of the scoping process, the Department determined that the action is necessary and appropriate. The rules are being promulgated following the Administrative Procedures Act described in Title 10, Subtitle 1 of the State Government Article Annotated Code of Maryland.

- The General Assembly's Administrative, Executive, and Legislative Review Committee reviews the regulatory proposal for fiscal and legal analysis.
- The proposal was printed by the Division of State Documents in the Maryland Register on December 1, 2025.
- A 30 day public comment period began on the day of publication. The comment period ends January 2, 2026.
- After review of the comments, the Department may adopt the changes.
- If the Department adopts the changes, they become effective after a notice is published in the Maryland Register that announces approval and the effective date.

When will this be effective?

The Department projects that this change could be effective February 2026, however the exact date cannot be determined at this time.